

This is to give you some idea of our financial costs and expected total budget. We originally thought the defense would cost \$250,000. We have now spent over \$400,000 and have not come to trial yet, so that, depending upon delays, etc., the cost may go beyond \$600,000. Both the Harrisburg and the Chicago Seven Trials also cost in this neighborhood and the government will be and has already spent millions of dollars on the prosecution of this case.

Our defense has been in progress since the first indictment was handed down on Dan Ellsberg in July of 1971. The second indictment was handed down last December and included Anthony Russo as a codefendant. For a good part of this year the Los Angeles Grand Jury was sitting (even after handing down an indictment) and considerable legal activity was involved with witnesses called before this group. For the entire year and, in fact, still sitting is the Boston Grand Jury leaving the possibility of an indictment being handed down by the Boston Grand Jury open and also producing costs for us from time to time there. The costs are incurred because the Pentagon Papers Fund, Inc. was formed to help defray the legal costs of all those involved in the Pentagon Papers revelations.

As for the trial itself there are six full-time lawyers, none of whom are receiving even 50% of their normal fee, and at least two of them are functioning at subsistence levels. In addition, there is a team of nine para-legal researchers working with the lawyers, all of whom are working at subsistence wages. There are seven evidentiary researchers analyzing the Pentagon Papers since the substance of these will also play a very important role in the trial. They are also working on finding all of the information in the Papers in the public domain (the U.S. and the foreign press long before the release of the papers themselves in order to prove that their release was, indeed, not harmful to the national defense. There are several full-time consultants who are specialists in the areas of defense analysis and security and classification systems.

We are being charged \$1.50 per page for transcripts of the daily court proceedings. There have already been over 5000 pages of transcript proceedings and we still have not begun the trial. We estimate the costs of transcripts alone to be over \$25,000. In addition, there are the usual costs of xeroxing, secretaries, and administrative assistants necessary in a case where so much documentation is involved. One more major expense will be the costs of bringing thirty witnesses, all eminent people who have agreed to testify for the defense, to Los Angeles from the East Coast.

We are now in debt about \$60,000. We are running at a cost of \$60-70,000 a month when we are at trial. These delays are costly too since they then result in more travel costs and many of the lawyers and researchers are still at work at new problems of double jeopardy and such which are created by the delays themselves / (prolonged jury exposure to possible contamination from the press during these delays would result in the costs of going through a new jury selection)